

[DISCUSSION DRAFT]

117TH CONGRESS
1ST SESSION

H. R. _____

To provide exceptions to immunity under section 230 of the Communications Act of 1934 for the enforcement of Federal civil law, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To provide exceptions to immunity under section 230 of the Communications Act of 1934 for the enforcement of Federal civil law, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the [“_____”
5 Act”].

1 **SEC. 2. EXCEPTIONS TO IMMUNITY UNDER SECTION 230 OF**
2 **THE COMMUNICATIONS ACT OF 1934.**

3 (a) ENFORCEMENT OF FEDERAL CIVIL LAW BY FED-
4 ERAL GOVERNMENT.—Section 230(e)(1) of the Commu-
5 nications Act of 1934 (47 U.S.C. 230(e)(1)) is amended—

6 (1) in the heading, by striking “CRIMINAL
7 LAW” and inserting “FEDERAL CRIMINAL OR CIVIL
8 LAW”;

9 (2) by inserting “by the Federal Government”
10 after “enforcement”; and

11 (3) by striking “or any other Federal criminal
12 statute” and inserting “any other Federal criminal
13 or civil statute, or any regulations of an Executive
14 agency (as defined in section 105 of title 5, United
15 States Code)”.

16 (b) ENFORCEMENT OF FEDERAL CIVIL LAW BY
17 STATE ATTORNEYS GENERAL.—Section 230(e) of the
18 Communications Act of 1934 (47 U.S.C. 230(e)) is
19 amended by adding at the end the following:

20 “(6) NO EFFECT ON ENFORCEMENT OF FED-
21 ERAL CIVIL LAW BY STATE ATTORNEYS GENERAL.—
22 Nothing in this section may be construed to impair
23 any authority that the attorney general of a State
24 may have to enforce any Federal civil statute or any
25 regulations of an Executive agency (as defined in

1 section 105 of title 5, United States Code) issued
2 under such a statute.”.

3 (c) APPLICABILITY.—The amendments made by this
4 section shall apply with respect to any action or pro-
5 ceeding that is commenced on or after the date of the en-
6 actment of this Act.